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10/611,365	06/30/2003	Bing Wang	08212/0200295-US0	3172
53666	7590	05/16/2008	EXAMINER	
BRAKE HUGHES BELLERMANN LLP			CHOJNACKI, MELLISSA M	
c/o INTELLEVATE			ART UNIT	PAPER NUMBER
P.O. BOX 52050			2164	
MINNEAPOLIS, MN 55402				

  

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/611,365	WANG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mellissa M. Chojnacki	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 October 2007.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,4,7-13,15 and 17-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,4,7-13,15 and 17-38 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 1/11/2008.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### Remarks

1. In response to communications filed on February 22, 2008, claims 3, 5-6, 14, 16, are cancelled; claims 39-40 have been withdrawn; no claims have been amended, and no new claims have been added. Therefore, claims 1-2, 4, 7-12, 15 and 17-38 are presently pending in the application.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-9 and 19-29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-9 and 19-29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The specification discloses that "Computer-readable media may include computer storage media, ***communication media***, or any combination thereof...Communication media typically embodies computer-readable instructions, data structures, program modules, or other data in a modulated data signal such as a ***carrier wave*** or other transport mechanism and includes any information delivery media." (See page 13, lines 4-16 of the Specification), and these elements are energy. Energy is not one of the four categories of invention and therefore these claims are not statutory. Energy is not a series of steps or acts and

thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not combination of substances and therefore not a composition of matter. Applicant is asked to delete "carrier waves" and other type of suggestion that the media/medium that may be an energy element from the specification and submit in the remarks section of the next reply a statement of disavowal, disavowing that the computer media/medium can be a carrier wave or any other type of media that may be an energy element.

4. Claims 21 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. This claim discloses a system or apparatus but do not describe hardware which executes each of the claimed steps, which is required for a system claim to be statutory. The claimed system is disclosed as corresponding to "Computer-readable media may include computer storage media, communication media, or any combination thereof" on page 13, in the Specification. Accordingly, these claims are rejected as non-statutory for failing to disclose such hardware.

5. With respect to claims 29-30, the claims are directed towards an apparatus. However, the claims are not actually limited to any physical articles or objects. It appears that the Applicant is seeking to patent the particular programmed functionality of the components rather than the components themselves. Specifically the claim limitations of "means for determining...", means for creating...", "means for collecting...", "means for sending...", "means for receiving...", "means for providing... ",

and “means for receiving...”, means for determining ...”, “means for establishing...”, “means for pulling...”, “means for installing...”, all appear to be directed to software subroutines. Since the claim limitations are indeed directed to programmed functionality and not the components of an apparatus themselves, the claims remain rejected under 35 U.S.C. 101 because program code by itself does not fit into one of the four statutory categories of invention or one of the three judicial exceptions to patentable subject matter.

Favorable consideration would be given to a claim amendment which requires claims 29-30 to include hardware components so as to limit the claimed invention to a system comprising both hardware and software. Such an amendment should make clear that the software subroutines are functionally and structurally interrelated to the hardware components, thereby allowing the programmed functionality to be realized.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-2, 4, 7, 12-13, 15, 17-18, 20-21, 23, 28-31, 34-35 and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Seshadri et al., (U.S. Patent Application Publication No. 2004/0002958).

As to claim 1, Seshadri et al. teaches a method (See abstract; paragraph 0142; paragraph 0406), comprising:

determining an urgent update from among a plurality of updates (See paragraph 0069; paragraph 0077; paragraphs 0118-0119; paragraph 0446);

creating an urgent update notification (UUN) associated with the urgent update (See paragraphs 0008-009; paragraphs 0083);

sending the UUN to the network appliances as messages (See paragraph 0093);

receiving a reply to the UUN from at least one of the network appliances (See paragraph 0078; paragraph 0604), the request for the urgent update being sent by the at least one network appliance in response to receiving the UUN (See paragraphs 0078-0079); and

providing the urgent update to at least one of the network appliances in response to the reply (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604).

As to claims 2, and 23, Seshadri et al. teaches wherein sending the UUN to the network appliances as messages further comprises sending the messages through specific message ports of the network appliances (See paragraph 0093; paragraph 0678; paragraph 0682); wherein the update server is further configured to send the

UUN as a message to each network appliance through a specific message port (See paragraph 0093; paragraph 0678; paragraph 0682); wherein the network appliance comprises a message port arranged to receive messages, including messages comprising an UUN (See paragraph 0093; paragraph 0678; paragraph 0682).

As to claims 4 and 15, Seshadri et al. teaches wherein at least one of the messages is a SMTP conformed message and at least one of the message ports is port 25 (See paragraph 0093; paragraph 0678; paragraph 0682); wherein the protocol includes a SMTP protocol and the message port includes port 25 (See paragraph 0093; paragraph 0678; paragraph 0682).

As to claims 7, 18 and 28, Seshadri et al. teaches wherein providing the urgent update to the network appliances comprises enabling the network appliances to obtain a log that includes the urgent update (See paragraph 0077; paragraph 0185); wherein obtaining the urgent update from the server comprises obtaining a log that includes the urgent update (See paragraph 0077; paragraph 0185); a network appliance configured to access the log to obtain the updates (See paragraph 0077; paragraph 0185).

As to claim 12, Seshadri et al. teaches wherein the method is operable on at least one of a server, a network appliance, and a dedicated platform (See abstract; paragraphs 0006-0007; paragraph 0013; paragraph 0065).

As to claim 13, Seshadri et al. teaches a method for obtaining updates, comprising: receiving a message (See abstract; paragraph 0142; paragraph 0406); in response to determining that the message includes an UUN associated with an urgent update (See paragraph 0069; paragraph 0077; paragraphs 0118-0119; paragraph 0446), establishing a connection with a server (See paragraph 0006; paragraph 0680); pulling the urgent update from the server (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604); and installing the urgent update (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604).

As to claim 17, Seshadri et al. teaches wherein determining that the message includes the UUN comprises detecting a special format of the message (See paragraph 0014; paragraph 0091; paragraph 0146).

As to claim 20, Seshadri et al. teaches wherein the method is operable on at least one of a server, a network appliance, a router, a switch, and a firewall (See abstract; paragraph 0010; paragraph 0012; paragraph 0065).

As to claim 21, Seshadri et al. teaches a system for managing a network (See abstract), comprising: an update server configured to determine updates and to provide the updates to network appliances (See abstract; paragraph 0142; paragraph 0406), the update servers being further configured to determine an update that is urgent and to

send an UUN about the urgent update to each network appliance (See paragraph 0069; paragraph 0077; paragraphs 0118-0119; paragraph 0446); a network appliance configured to periodically obtain updates from the update server (See paragraph 0093; paragraph 0678; paragraph 0682), the network appliance being further configured to receive from the update server an UUN associated with an urgent update and to pull the urgent update from the update server in response to the received UUN (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604).

As to claim 29, Seshadri et al. teaches an apparatus for providing updates to network appliances (See abstract; paragraph 0142; paragraph 0406), comprising: means for determining an urgent update (See paragraph 0069; paragraph 0077; paragraphs 0118-0119; paragraph 0446); means for creating an UUN associated with the urgent update (See paragraphs 0008-009; paragraphs 0083); means for collecting and maintaining IP addresses of the network appliances (See paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601; paragraph 0683); means for sending the UUN to the network appliances as messages (See paragraph 0078; paragraph 0604); means for receiving a reply to the UUN from at least one of the network appliances (See paragraph 0078; paragraph 0604); and means for providing the urgent update to the network appliances in response to the reply (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604).

As to claim 30, Seshadri et al. teaches an apparatus for obtaining updates (See abstract; paragraph 0142; paragraph 0406), comprising: means for receiving a message (See paragraph 0078; paragraph 0604); means for determining when the message includes an UUN associated with an urgent update (See paragraph 0069; paragraph 0077; paragraphs 0118-0119; paragraph 0446), means for establishing a connection with a server in response to when (See paragraph 005; paragraph 0013; paragraphs 0031-0033; paragraph 0075), means for pulling the urgent update from the server; and means for installing the urgent update (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604).

As to claim 31, Seshadri et al. teaches a network appliance (See abstract; paragraph 0142; paragraph 0406), comprising:

a central processing unit (See 0677; paragraph 0682); and

at least one data storage (See abstract; paragraph 0007, where “data storage” is read on “database”);

wherein the central processing unit and the at least one data storage are configured to enable the network appliance to receive a message (See abstract; paragraph 0007; 0677; paragraph 0682), determine if the message includes an UUN associated with an urgent update (See paragraph 0069; paragraph 0077; paragraphs 0118-0119; paragraph 0446), establish a connection with a server and request the urgent update from the server in response to a determination that the message includes

an UUN associated with an urgent update (See paragraph 0093), receive the urgent update from the server, and install the urgent update (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604).

As to claim 34, Seshadri et al. teaches wherein the central processing unit and the at least one data storage are configured to determine if the message includes an UUN associated with an urgent update, based on a format of the message (See paragraphs 0146; paragraph 0416; paragraph 0419).

As to claim 35, Seshadri et al. teaches an update server (See abstract; paragraph 0142; paragraph 0406), comprising:

a central processing unit (See 0677; paragraph 0682); and

at least one data storage (See abstract; paragraph 0007, where “data storage” is read on “database”);

wherein the central processing unit and the at least one data storage are configured to enable the update server to determine an urgent update (See paragraph 0069; paragraph 0077; paragraphs 0118-0119; paragraph 0446), create an UUN associated with the urgent update (See paragraphs 0008-009; paragraphs 0083), collect and maintain IP addresses of the network appliances (See paragraphs 0008-009; paragraphs 0083); means for collecting and maintaining IP addresses of the network appliances (See paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601; paragraph 0683),

send the UUN to the at least one of the network appliances as messages (See paragraph 0093), receive a reply to the UUN from at least one of the network appliances (See paragraph 0078; paragraph 0604) and provide the urgent update to the network appliances in response to the reply (See abstract; paragraph 00069; paragraphs 0077-0078; paragraphs 0118-0119; paragraph 0446; paragraph 0604).

As to claim 37, Seshadri et al. teaches wherein the urgent update comprises software for execution by the network appliances (See paragraph 0034; paragraph 0065; paragraph 0088).

As to claim 38, Seshadri et al. teaches wherein the at least one network appliance is configured to detect and remove exploits from messages (See paragraph 438).

#### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 8-11, 19, 22, 24-27, 32-33 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seshadri et al., (U.S. Patent Application Publication No. 2004/0002958), in view of Lewis et al., (U.S. Patent Application Publication No. 2004/0116119).

As to claims 8 and 25, Seshadri et al. does not teach wherein further comprising: collecting the IP addresses of the network appliances when the network appliances establish a connection to obtain updates; and storing the IP addresses in a log; wherein the update server is further configured to determine IP addresses associated with the network appliances when the network appliances connect to the update server for updates (Seshadri et al., does disclose location information and storing information on logs, however Lewis et al. discloses a more precise reference to IP addresses).

Lewis et al. teaches a wireless router system and method (See abstract), in which he teaches collecting the IP addresses of the network appliances when the network appliances establish a connection to obtain updates (See paragraph 0087; paragraph 0092; paragraphs 0096-0099; paragraph 0102); and storing the IP addresses in a log (See paragraph 0087; paragraph 0092; paragraphs 0096-0099; paragraph 0102); wherein the update server is further configured to determine IP addresses associated with the network appliances when the network appliances connect to the update server for updates (See paragraph 0087; paragraph 0092; paragraphs 0096-0099; paragraph 0102).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Seshadri et al., to include

wherein further comprising: collecting the IP addresses of the network appliances when the network appliances establish a connection to obtain updates; and storing the IP addresses in a log; wherein the update server is further configured to determine IP addresses associated with the network appliances when the network appliances connect to the update server for updates.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Seshadri et al., by the teachings of Lewis et al. because wherein further comprising: collecting the IP addresses of the network appliances when the network appliances establish a connection to obtain updates; and storing the IP addresses in a log; wherein the update server is further configured to determine IP addresses associated with the network appliances when the network appliances connect to the update server for updates would push data items from a sending host system on any of a plurality of communication networks to a destination mobile device on any of a further plurality of similar or dissimilar wireless data communication networks located anywhere in the world (See Lewis et al., paragraph 0009).

As to claims 9 and 11, Seshadri et al., as modified, teaches wherein further comprising removing out-of-date IP addresses from the log (See Lewis et al., paragraph 0102; paragraph 0112; paragraph 0124; also See Seshadri et al., paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601; paragraph 0683); wherein the IP address is up-to-date (See

Lewis et al., paragraph 0102; paragraph 0112; paragraph 0124; also See Seshadri et al. paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601; paragraph 0683).

As to claims 10 and 26, Seshadri et al., as modified, teaches wherein sending the UUN to the network appliances comprises sending a message with the UUN to each IP address in the log; wherein the update server is further configured to send the UUN to the IP addresses (See Lewis et al., paragraph 0087; paragraph 0092; paragraphs 0096-0099; paragraph 0102; also see Seshadri et al., paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601; paragraph 0683).

As to claim 19, Seshadri et al., as modified, teaches obtaining updates from the server at pre-determined intervals (See Lewis et al., paragraph 0070).

As to claims 22 and 36, Seshadri et al., as modified, teaches wherein the update server is further configured to collect IP addresses of the network appliances in conjunction with periodic update requests, store the IP addresses in a log, and remove an IP address from the log when the IP address is out-of-date (See Lewis et al., paragraph 0087; paragraph 0092; paragraphs 0096-0099; paragraph 0102; paragraph 0112; paragraph 0124; also see Seshadri et al., paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601;

paragraph 0683); wherein the central processing unit and the at least one data storage are configured to enable the update server to collect IP addresses of the network appliances based on the messages generated by the network appliances, store the collected IP addresses, and remove out-of-date IP addresses from the at least one data storage (See Lewis et al., paragraph 0087; paragraph 0092; paragraphs 0096-0099; paragraph 0102; paragraph 0112; paragraph 0124; also see Seshadri et al., paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601; paragraph 0683).

As to claim 24 Seshadri et al., as modified, teaches wherein the update server is further configured to enable the network appliances to connect to the update server and to obtain updates (See Lewis et al., paragraph 0031).

As to claim 27, Seshadri et al., as modified, teaches wherein the update server is further configured to maintain a log that includes the updates (See Lewis et al., paragraph 0087; paragraph 0092; paragraphs 0096-0099; paragraph 0102; paragraph 0112; paragraph 0124; also see Seshadri et al., paragraph 0014, where “IP address” is read on “location”; paragraph 0123; paragraph 0574; paragraph 0599; paragraph 0601; paragraph 0683).

As to claim 32, Seshadri et al. as modified, teaches the central processing unit and the at least one data storage are configured to enable the network appliance to

detect and remove exploits from messages (See Lewis et al., paragraphs 0096-0100); and the urgent update comprises software for execution by the network appliance (See Lewis et al., paragraph 0033; paragraph 0039; paragraph 0054).

As to claim 33, Seshadri et al. as modified, teaches wherein the network appliance comprises a message port arranged to receive messages, including messages comprising an UUN (See Seshadri et al., paragraph 0093; paragraph 0678; paragraph 0682).

### ***Response to Arguments***

10. Applicant's arguments filed on 22-Febrary -2008, with respect to the rejected claims 1-2, 4, 7-12, 15 and 17-38 have been fully considered but they are not found to be persuasive:

In response to applicants' arguments regarding "***These paragraphs do not disclose sending a notification, receiving a request sent in response to the notification, and providing an update in response to receiving the request. For example, these paragraphs do not disclose actually providing an update beyond sending the notification. Therefore, the Office Action has not shown that claim 1 is anticipated by Seshadri, and Applicant respectfully requests that this rejection be withdrawn,***" the arguments have been fully considered but are not found to be

persuasive, because Seshadri et al. discloses an event provider pushing and pulling information and updates (See paragraphs 0077-0078).

In response to applicants' arguments regarding "***These paragraphs do not disclose establishing a connection with a server and pulling and installing an urgent update in response to determining that a message received from the server includes an urgent update notification,***" the arguments have been fully considered but are not found to be persuasive, because Seshadri et al. discloses an event provider pushing and pulling information and updates (See paragraphs 0077-0078), and an event provider maybe supported as a "web server" (See paragraph 0074).

In response to applicants' arguments regarding "***does not disclose notifications being sent periodically, and paragraphs [0678] and [0682] do not disclose obtaining updates. Therefore, Seshadri does not disclose all of the limitations of claim 21, and Applicant respectfully requests that this rejection be withdrawn,***" the arguments have been fully considered but are not found to be persuasive, because Seshadri et al. discloses a "event provider" using a notification system that is based on a schedule (See paragraph 0079) and a schedule can be read on periodically.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELLISSA M. CHOJNACKI whose telephone number is (571)272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 5, 2008  
Mmc

/Charles Rones/  
Supervisory Patent Examiner, Art Unit 2164